No. S263972

IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA

PICO NEIGHBORHOOD ASSOCIATION; MARIA LOYA,

Plaintiffs and Respondents,

v.

CITY OF SANTA MONICA,

Defendant and Appellant.

AMICI CURIAE THE LEAGUE OF WOMEN VOTERS OF SANTA MONICA, THE ALLIANCE OF SANTA MONICA LATINO AND BLACK VOTERS, HUMAN RELATIONS COUNCIL SANTA MONICA BAY AREA, AND COMMUNITY FOR EXCELLENT PUBLIC SCHOOLS' REQUEST FOR JUDICIAL NOTICE; PROPOSED ORDER

After a Decision by the Court of Appeal
Second Appellate District, Division Eight, Case No. BC295935
Los Angeles County Superior Court Case No. BC616804
The Honorable Yvette M. Palazuelos, Judge Presiding

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Attorneys for Amici Curiae The League of Women Voters of Santa Monica, et al.

AMICI CURIAE'S
REQUEST FOR JUDICIAL NOTICE

The League of Women Voters of Santa Monica, the Alliance of Santa Monica Latino and Black Voters, the Human Relations Council Santa Monica Bay Area, and Community for Excellent Public Schools (collectively "Amici") hereby request that the Court take judicial notice of the attached exhibit pursuant to California Rules of Court, rule 8.252(a) and Evidence Code section 459. The attached documentation is properly the subject of judicial notice pursuant to Evidence Code section 452, subdivisions (c) & (d).

Amici are filing this exhibit in support of the City of Santa Monica in this matter.

This Court granted review on a single issue: "What must a Plaintiff prove in order to establish vote dilution under the California Voting Rights Act?"

Amici seek to file copies of the following recent correspondence: (1) the demand letter tendered by plaintiffs' counsel to the City of Irvine in March of this year asserting violation of the CVRA and demanding district elections, and (2) the response of the City Attorney for the City of Irvine to that demand letter. This correspondence further demonstrates the expansive interpretation of the CVRA by plaintiffs' counsel notwithstanding the city council election successes of Asians in the City of Irvine. Amici hereby request that the Court take judicial notice of the same. This filing will aid the Court in assessing the arguments made as to the elements of proof of vote

dilution under the CVRA, which is the question posed by the Court.

Both of the attached letters were written after this Court's order granting review.

Attached as Exhibit "A" are true and correct copies of: (1) the demand letter tendered by plaintiffs' counsel to the City of Irvine, dated March 5, 2021, and (2) the City Attorney for the City of Irvine's letter dated April 23, 2021, responding to the demand letter.

A reviewing court may accept facts outside the record that are presented by amicus curiae where those facts are subject to judicial notice. *See Ketchum v. Moses* (2001) 24 Cal. 4th 1122, 1135, fn. 1 (defendant's request that the California Supreme Court take judicial notice of legislative history granted; the Court also granted amici curiae's request for judicial notice in this case). Additionally, in *Bily v. Arthur Young & Co.* (1992) 3 Cal. 4th 370, 405, fn. 14, the Court discussed the benefits of reviewing submissions from amici curiae:

> "Amicus curiae California Society of Certified Public Accountants has included as an appendix to its brief three declarations from accounting and insurance industry personnel incorporating the results of in-house industry surveys dealing with accountants' professional liability problems, including the availability and

> use of insurance by accountants. The material included in the appendix is not in the record on appeal; the Court of Appeal declined to take judicial notice of it. Plaintiff Robert Bily has filed a motion to strike the appendix and related portions of the society's brief. [¶] Both our rules and our practice accord wide latitude to interested and responsible parties who seek to file amicus curiae briefs. (Cal. Rules of Court, rule 14(b).) Amicus curiae presentations assist the court by broadening its perspective on the issues raised by the parties. Among other services, they facilitate informed judicial consideration of a wide variety of information and points of view that may bear on important legal questions. For these reasons, we are inclined, except in cases of obvious abuse of the amicus curiae privilege, not to employ orders to strike as a means of regulating their contents. Plaintiff Bily's motion is, therefore, denied."

In the present case, the CVRA demand letter from plaintiffs' counsel further documents the frequency and extent of demands for district elections pursued by plaintiffs' counsel,

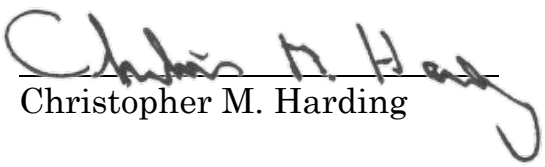
alleging: "Irvine's at-large system dilutes the ability of Latinos and Asians (each, a 'protected class') – to elect candidates of their choice or otherwise influence the outcome of the District's elections." And the letter response from the City Attorney for the City of Irvine explains that currently 60% of the Irvine city council are Asian-American in that city where less than 39% of registered voters are Asian-American:

> "60% of the current City Council is Asian-American, with Vice Mayor Tammy Kim serving alongside Mayor [Farrah] Khan and Councilmember [Anthony] Kuo, in a City where less than 39% of its eligible voters are Asian American . . . [¶] All three of its sitting Asian-American Councilmembers have different backgrounds—Mayor Khan is Pakistani-American, Councilmember Kim is Korean-American, and Councilmember Kuo is Chinese-American."

For the foregoing reasons, Amici request that this Court take judicial notice of Exhibit A pursuant to Evidence Code section 459.

Dated: June 7, 2021

Respectfully submitted,



Christopher M. Harding

LAW OFFICE OF JOSEPH PERTEL

By: 
Joseph A. Pertel

Attorneys for Amici Curiae The League of Women Voters of Santa Monica, the Alliance of Santa Monica Latino and Black Voters, the Human Relations Council Santa Monica Bay Area, and Community for Excellent Public Schools

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VIA CERTIFIED MAIL

March 5, 2021

Carl Petersen - City Clerk
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606

Re: Violation of California Voting Rights Act

I write on behalf of our client, Southwest Voter Registration Education Project and its members residing within the City of Irvine ("Irvine" or "City"). Irvine relies upon an at-large election system for electing candidates to its governing board. Moreover, voting within the City is racially polarized, resulting in minority vote dilution, and, therefore, the City's at-large elections violate the California Voting Rights Act of 2001 ("CVRA").

The CVRA disfavors the use of so-called "at-large" voting – an election method that permits voters of an entire jurisdiction to elect candidates to each open seat. *See generally Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660, 667 ("*Sanchez*"). For example, if the U.S. Congress were elected through a nationwide at-large election, rather than through typical single-member districts, each voter could cast up to 435 votes and vote for any candidate in the country, not just the bare candidates in the voter's district, and the 435 candidates receiving the most nationwide votes would be elected. At-large elections thus allow a majority of voters to control *every* seat, not just the seats in a particular district or a proportional majority of seats.

Voting rights advocates have targeted "at-large" election schemes for decades, because they often result in "vote dilution," or the impairment of minority groups' ability to elect their preferred candidates or influence the outcome of elections, which occurs when the electorate votes in a racially polarized manner. *See Thornburg v. Gingles,* 478 U.S. 30, 46 (1986) ("*Gingles*"). The U.S. Supreme Court "has long recognized that multi-member districts and at-large voting schemes may operate to minimize or cancel out the voting strength" of minorities. *Id.* at 47; *see also id.* at 48, fn. 14 (at-large elections may also cause elected officials to "ignore [minority] interests without fear of political consequences"), citing *Rogers v. Lodge*, 458 U.S. 613, 623 (1982); *White v. Register*, 412

U.S. 755, 769 (1973). "[T]he majority, by virtue of its numerical superiority, will regularly defeat the choices of minority voters." *Gingles*, at 47. When racially polarized voting occurs, dividing the political unit into single-member districts, or some other appropriate remedy, may facilitate a minority group's ability to elect its preferred representatives. *Rogers*, at 616.

Section 2 of the federal Voting Rights Act ("FVRA"), 42 U.S.C. § 1973, which Congress enacted in 1965 and amended in 1982, targets, among other things, at-large election schemes. *Gingles* at 37; *see also* Boyd & Markman, *The 1982 Amendments to the Voting Rights Act: A Legislative History* (1983) 40 Wash. & Lee L. Rev. 1347, 1402. Although enforcement of the FVRA was successful in many states, California was an exception. By enacting the CVRA, "[t]he Legislature intended to expand protections against vote dilution over those provided by the federal Voting Rights Act of 1965." *Jauregui v. City of Palmdale* (2014) 226 Cal. App. 4th 781, 808. Thus, while the CVRA is similar to the FVRA in several respects, it is also different in several key respects, as the Legislature sought to remedy what it considered "restrictive interpretations given to the federal act." Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001-2002 Reg. Sess.) as amended Apr. 9, 2002, p. 2.

The California Legislature dispensed with the requirement in *Gingles* that a minority group demonstrate that it is sufficiently large and geographically compact to constitute a "majority-minority district." *Sanchez,* at 669. Rather, the CVRA requires only that a plaintiff show the existence of racially polarized voting to establish that an at-large method of election violates the CVRA, not the desirability of any particular remedy. *See* Cal. Elec. Code § 14028 ("A violation of Section 14027 ***is established*** if it is shown that racially polarized voting occurs …") (emphasis added); *also see* Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001–2002 Reg. Sess.) as amended Apr. 9, 2002, p. 3 ("Thus, this bill puts the voting rights horse (the discrimination issue) back where it sensibly belongs in front of the cart (what type of remedy is appropriate once racially polarized voting has been shown).")

To establish a violation of the CVRA, a plaintiff must generally show that "racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision." Elec. Code § 14028(a). The CVRA specifies the elections that are most probative: "elections in which at least one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of members of a protected class." Elec. Code § 14028(a). The CVRA also makes clear that "[e]lections conducted prior to the filing of an action … are more probative to establish the existence of racially polarized voting than elections conducted after the filing of the action." *Id.*

Factors other than "racially polarized voting" that are required to make out a claim under the FVRA – under the "totality of the circumstances" test – "are probative, but not necessary factors to establish a violation of" the CVRA. Elec. Code § 14028(e). These "other factors" include "the history of discrimination, the use of electoral devices or other voting practices or procedures that may enhance the dilutive effects of at-large elections, denial of access to those processes determining which groups of candidates will receive financial or other support in a given election, the extent to which members of a protected class bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the use of overt or subtle racial appeals in political campaigns." *Id.*

Latinos comprise approximately 11% of the City's eligible voters, based on recent data of the American Community Survey conducted by the U.S. Census Department, and Asians comprised 39.2% of the City's population according to the 2010 Census.

Irvine's at-large system dilutes the ability of Latinos and Asians (each, a "protected class") – to elect candidates of their choice or otherwise influence the outcome of the District's elections. The City's election history is illustrative. For example, in 2016, Gang Chen lost in his campaign for Mayor, and Anthony Kuo and Farrah Kahn lost in their respective campaigns for Council despite significant support from the Asian community, due to a lack of support from non-Asians. It appears that the City's recent elections have been nearly devoid of Latino candidates, and while opponents of voting rights may claim that indicates an apathy among the Latino community, the courts have held that is an indicator of vote dilution. (See *Westwego Citizens for Better Government v. City of Westwego*, 872 F.2d 1201, 1208-1209, n. 9 (5th Cir. 1989).) When Latino candidates have stepped into the political fray, racially polarized voting has doomed their campaigns. For example, in 2010 Christopher Gonzalez ran for Mayor and in 2000 he ran for Council. In each instance Mr. Gonzalez was preferred by Latino voters in Irvine, but he was defeated due to the lack of support from non-Latinos.

As you may be aware, other political subdivisions that include Irvine have recently adopted district-based elections to comply with the CVRA. For example, the Irvine Unified School District and Irvine Ranch Water District each adopted district-based elections when the racially polarized voting in their elections was brought to their attention. Those elections are also relevant to the City's violation of the CVRA.

As you may be aware, in 2012, we sued the City of Palmdale for violating the CVRA. After an eight-day trial, we prevailed. After spending millions of dollars, a district-based remedy was ultimately imposed upon the Palmdale city council, with districts that combine all incumbents into one of the four districts.

Given the racially polarized elections for Irvine's city council and exogenous elections, we urge the City to voluntarily change its at-large system of electing its City Council. Otherwise, on behalf of residents within the jurisdiction, we will be forced to seek judicial relief. Please advise us no later than April 25, 2021 as to whether you would like to discuss a voluntary change to your current at-large system.

We look forward to your response.

Very truly yours,

Kevin I. Shenkman

RUTAN
RUTAN & TUCKER, LLP

Jeffrey T. Melching
Direct Dial: (714) 641-3422
E-mail: jmelching@rutan.com

April 23, 2021

Kevin Shenkman
28905 Wight Road
Malibu, CA 90265

Re: Response to March 5, 2021 Demand Letter Under California Voting Rights Act

Dear Mr. Shenkman:

I am the City Attorney for the City of Irvine ("City"). I write in response to your March 5, 2021, letter, which baselessly accuses the City of violating the California Voting Rights Act ("CVRA"). Your letter appears to be the same "form" letter that you have sent to jurisdictions throughout California over the past decade—apart from filling in a few City-specific blanks in the last five paragraphs—which strongly suggests that you have not undertaken a detailed analysis of the City's demographics or its elections. Had you done so, you would have realized that Irvine is a particularly poor candidate for one of your cookie-cutter threat letters, given the City's demographics and the consistent success in City Council elections of candidates who are members of a protected class.

The City is prepared to vigorously defend itself in the event of litigation, and it has already retained Gibson, Dunn & Crutcher LLP to serve as its litigation counsel should you elect to move forward. But we urge you to not to do so. This letter sets forth a few of the reasons why a CVRA lawsuit against the City would be frivolous, unreasonable, and without foundation—exposing your client and your office to possible liability for the City's litigation expenses, pursuant to Elections Code section 14030.

First, at-large voting systems "are not *per se* violative of minority voters' rights." (*Thornburg v. Gingles* (1986) 478 U.S. 30, 47.) And contrary to the suggestions in your letter, district-based elections are not inherently better for minority voters—to the contrary, there are myriad examples of jurisdictions using district-based schemes to diminish minority voting strength. (*E.g.*, *Gill v. Whitford* (2018) 138 S.Ct. 1916, 1924 [explaining the concepts of "cracking" (dividing "a party's supporters among multiple districts so they fall short of a majority in each one") and "packing" ("concentrating one party's backers in a few districts" even though spreading them across multiple districts would increase their electoral success)].)

For these reasons, a CVRA plaintiff must be able to do more than simply point to a handful of minority candidates who have lost at-large elections, and then speculate that things would be meaningfully different if the City had districted elections—which is all your letter does. Rather, a

CVRA plaintiff must prove "racially polarized voting" (Elec. Code, § 14028, subd. (a)) by establishing that a minority group is "politically cohesive" (meaning its members tend to vote similarly), and that "the white majority votes sufficiently as a bloc to enable it—in the absence of special circumstances … —usually to defeat the minority's preferred candidate." (*Gingles*, 478 U.S. at p. 51.) In addition, a CVRA plaintiff must separately be able to demonstrate that the at-large system has diluted minority voting strength, such that an alternative voting scheme would enhance the ability of voters of a protected class to elect candidates of their choice or influence the outcome of elections. (Elec. Code, § 14027.) Your letter makes no effort to demonstrate any of these baseline requirements for a CVRA claim.

Second, given the City's unique demographics and diversity, it would be impossible to show that districts would enhance the ability of any protected class to elect candidates of its choice or influence election outcomes.

The City is diverse. Asian-Americans and whites each account for about 42% of the City's total population, and Latinos account for about 10%. Those numbers alone may not be so unusual in California. But what *is* unusual is the degree to which those different racial and ethnic groups are integrated throughout the City. You may be aware that the City has been ranked by *FiveThirtyEight*, a reputable statistics publication focusing on politics, as the ninth-most diverse city in the country and *the most integrated* of the country's 100 most populous cities.[1] In Irvine, then—unlike in other diverse cities that are *not* so integrated—people of all races and ethnicities live together in the same areas. This means there is no material concentration of the members of any protected class living in any given area of the City when compared to other areas—and for that reason, dividing the City into five districts would not give any particular district a significant concentration of any particular protected class. As a result, no group of voters would have a meaningfully better ability to elect candidates of their choice or influence the outcome of elections under a district-based system than they already have in the City's at-large system.

For instance, your letter asserts that Latinos comprise approximately 11% of the City's citizen voting age population ("CVAP"). Even if that were accurate, we believe that in light of the City's high degree of integration, it would still be impossible to draw a district in Irvine in which the Latino CVAP approaches even 20%.

We are aware, of course, that unlike the federal Voting Rights Act, the CVRA states "[t]he fact that members of a protected class are not geographically compact or concentrated may not preclude a finding of racially polarized voting, or a violation of Section 14027 and this section, but may be a factor in determining an appropriate remedy." (Elec. Code, § 14028, subd. (c).) But this language does not render the City's demographics irrelevant. Indeed, in arguing this precise

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[1] https://fivethirtyeight.com/features/the-most-diverse-cities-are-often-the-most-segregated/; https://www.ocbj.com/news/2015/may/21/irvine-ranked-most-diverse-city-us/

issue before the California Supreme Court in *City of Santa Monica v. Pico Neighborhood Association* (No. S263972), you have advocated for the following rule: "where a politically cohesive minority makes up *25% or more* of the citizen-voting-age population of a district, it will often be able to exercise meaningful electoral 'influence.'" (Italics added.) We disagree with your proposed 25% benchmark and believe that it trivializes the dilution element of the CVRA. But even under your proposed rule, Latino voters in Irvine would fall well short of the benchmark; they would have no greater electoral influence or opportunity to elect candidates in a district-based system. This precludes a vote-dilution claim as a matter of law.[2]

If you could maintain a lawsuit against the City notwithstanding the impossibility of any alternate election system giving Latinos greater electoral power, the CVRA would be unconstitutional, at least as applied to Irvine. It is one thing to order a city to draw districts along race-based lines when doing so will give a protected class electoral strength it never had before. It is quite another to order a city to engage in such race-conscious line-drawing when it will achieve no purpose. The U.S. Supreme Court has condemned "[r]acial gerrymandering," which threatens to "balkanize us into competing racial factions" and "to carry us further from the goal of a political system in which race no longer matters." (*Shaw v. Reno* (1993) 509 U.S. 630, 657.) Forcing the most integrated big city in the country to draw race-based districts would be a huge step backwards. "It would be an irony" if the CVRA "were interpreted to entrench racial differences by expanding a 'statute meant to hasten the waning of racism in American politics.'" (*Bartlett v. Strickland* (2009) 556 U.S. 1, 25-26.)

Third, as for Asian-American voters, you assert that they represent 39.2% of the City's total population—and presumably a smaller share of the City's CVAP. Given those numbers, it might theoretically be possible to draw a district in which the Asian-American CVAP is 50% or greater. But that would not give Asian-American voters any *greater* influence over electoral outcomes or ability to elect candidates than they enjoy today in the at-large system.

As an initial matter, your letter advances the misplaced and unconstitutional presumption that minority voters prefer only minority candidates, even though every court to consider that argument has rejected it. (See *Ruiz v. City of Santa Maria* (9th Cir. 1988) 160 F.3d 543, 551 ["We join our [nine] sister circuits in rejecting the position that the 'minority's preferred candidate' must

[2] To illustrate, your letter observes that Christopher Gonzales ran unsuccessfully for the Council in 2000 and unsuccessfully for Mayor in 2010. You have provided no data indicating that Mr. Gonzales was preferred by the City's Latino voters in either election. In any event, Mr. Gonzales earned a mere 6.3% of the 129,129 votes cast in the 2000 election, or 8,136 total votes. (https://legacy.cityofirvine.org/civica/filebank/blobdload.asp?BlobID=17609.) Even if we assume for argument's sake that all 8,136 of the voters who cast ballots for Gonzales in 2000 were Latino and that all of them were concentrated in a single district, that still would have been nowhere near enough for him to prevail in a winner-take-all district-based election.

be a member of the racial minority. To hold otherwise would … provide judicial approval to 'electoral apartheid.'"].)

Even if the stereotype that Asian-American voters prefer only Asian-American candidates were true, you overlook the fundamental fact that three of five current City Council Members (60% of the Council) are themselves Asian-American. In fact, since 2004, the Council has had *at least* one Asian-American member (with the exception of 2016-2018). For instance, after his election to the Council in 2004, Steven Choi was re-elected in 2008, and then he was elected Mayor in 2012 and 2014. And after his election to a two-year term in 2004, Sukhee Kang was re-elected in 2006; he was then elected Mayor in 2008 and 2010.

In the most flabbergasting portion of your letter, you provide three examples of purportedly unsuccessful Asian-American candidates in the 2016 Council election: Gang Chen, Anthony Kuo, and Farrah Khan. But Anthony Kuo and Farrah Khan were subsequently *elected to, and currently sit on, the Council*. In fact, Farrah Khan has been elected *twice* since 2016—once as a Councilmember in 2018, and then as Mayor in 2020. And as explained above, 60% of the current City Council is Asian-American, with Vice Mayor Tammy Kim serving alongside Mayor Khan and Councilmember Kuo, in a City where less than 39% of its eligible voters are Asian-American.

These basic facts contradict your narrative that the City's at-large election system has diluted Asian-American voting strength.

Furthermore, Asian-Americans and Pacific Islanders are not a homogenous group, as you appear to believe. Rather, they are *many* groups of people, who come from, or are descended from those who come from, various parts of the most populous continent on the planet. There is a multiplicity of languages and cultures in South Asia, East Asia, and the Pacific Island chains, so lumping together anyone whom the Census might roughly categorize as "Asian" is inappropriate. And we will note that Irvine is diverse even in this respect: All three of its siting Asian-American Councilmembers have different backgrounds—Mayor Khan is Pakistani-American, Councilmember Kim is Korean-American, and Councilmember Kuo is Chinese-American.

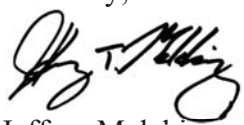
In sum, your letter evidences a flawed view of the CVRA, and it overlooks several key facts about the City's demographics and electoral history. You have provided no evidence, and the City is aware of none, that either (i) Council elections are racially polarized in a legally significant way (that is, that Latino or Asian-American voters are politically cohesive and yet the white majority usually votes as a bloc to defeat their preferred candidates); or (ii) the City's at-large electoral system dilutes the voting strength of any protected class. Therefore, any CVRA suit against the City would be frivolous, unreasonable, and without foundation.

***

The City is well aware of the many other public entities that have voluntarily adopted district-based elections in response to your demand letters, which typically contain the same explicit threat you have made here, namely, years of litigation and many taxpayer dollars spent. The City is also well aware of the handful of prior court decisions involving the CVRA—including the Court of Appeal's recent decision in the *Santa Monica* case (which the Supreme Court is now reviewing), in which the court flatly rejected a vote-dilution theory similar to the one you advance here, and referred to your other arguments as "unprecedented and unwise." And regardless of other jurisdictions' success or defeat in CVRA suits, there is no other city in the State of California like Irvine. In fact, it would be difficult to imagine a worse candidate for a CVRA lawsuit than the City of Irvine.

The City Council supports the voting rights of protected classes, and just as strongly believes that your letter is a misguided attempt to force district-based elections on a jurisdiction where they are not needed, and in fact, not appropriate. The CVRA, and voting-rights laws more generally, are vitally important and serve noble public purposes. But it is also important not to bend them so far that they break—or to tarnish them by filing frivolous lawsuits that will serve only to make the judiciary and the public question their value. We respectfully suggest that next time you do your homework before making threats like this one.

Sincerely,



Jeffrey Melching
City Attorney, City of Irvine

cc: Mayor and Members of the City Council of the City of Irvine
Marianna Marysheva, Irvine City Manager
Theodore J. Boutrous Jr., Esq.
Marcellus McRae, Esq.
Kahn A. Scolnick, Esq.

PROPOSED ORDER

Amici Curiae's Request for Judicial Notice dated June 7, 2021, is hereby granted.

Date: _____, 2021

_____
Chief Justice

PROOF OF SERVICE

I, Christopher M. Harding, declare as follows:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years, and I am not a party to this action. My address is 1250 Sixth Street, Suite 200, Santa Monica, California 90401. On June 7, 2021, I served:

AMICI CURIAE THE LEAGUE OF WOMEN VOTERS OF SANTA MONICA, THE ALLIANCE OF SANTA MONICA LATINO AND BLACK VOTERS, HUMAN RELATIONS COUNCIL SANTA MONICA BAY AREA, AND COMMUNITY FOR EXCELLENT PUBLIC SCHOOLS' REQUEST FOR JUDICIAL NOTICE; PROPOSED ORDER

on the parties stated below, by the following means of service:

Via Electronic Filing/Submission:
(Via electronic submission through the TrueFiling web page at www.truefiling.com)

SEE ATTACHED SERVICE LIST

☒ **BY ELECTRONIC SERVICE:** A true and correct copy of the above-titled document was electronically served on the persons listed on the attached service list.

☒ **BY U.S. MAIL:** By placing a true copy of the document(s) listed above for collection and mailing in a sealed envelope with postage thereon fully prepaid for deposit in the United States mail at Santa Monica, California addressed as indicated on the attached service list.

☒ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 7, 2021.

Christopher M. Harding

SERVICE LIST

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Milton Grimes (59437) miltgrim@aol.com LAW OFFICES OF MILTON C. GRIMES 3774 West 54th Street Los Angeles, California 90043 Tel: 323-295-3023	Electronic service
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Trial court

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